

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WA.No. 2246 of 2007

AGAINST THE JUDGEMENT IN WPC.28457/2005 Dated 11/08/2006
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APPELLANT: PETITIONER

PETER GEORGE THATTAM,XAVIERPURAM,
P.O ELENJY,PIN - 686 665.

BY ADV. SRI.K.N.CHANDRABABU

RESPONDENTS: RESPONDENTS

1. UNION OF INDIA,REP. BY THE SECRETARY,
MINISTRY OF DEFENCE,NEW DELHI.
2. OFFICER IN CHARGE,AIR FORCE RECORDS,
SUBROTO PARK,NEW DELHI - 110 010.
3. THE APPELLATE COMMITTEE,
MINISTRY OF DEFENCE,GOVT.OF INDIA,NEW DELHI.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S. RADHAKRISHNAN & A.K. BASHEER, JJ.

Writ Appeal No 2246 of 2007

Dated: 18th September 2007

JUDGMENT

Radhakrishnan, J.

We have perused the judgment of the learned single judge. It is evident that all monetary benefits have been granted to the petitioner by the Air Force authorities. Learned judge noticed that Air Force authorities have shown indulgence and granted concession to the petitioner in the matter of payment of invalid pension, that is, more than what was granted by this court. Petitioner claims that he is entitled to get interest on the pensionary benefits at the rate of 16%. Petitioner has also sought a writ of certiorari to quash Ext. P5 order. Facts would indicate that Air Force authorities have considered the various requests of the petitioner and granted pension from 18.04.1967 as per Ext. R2 by which it was ordered that medical allowance would be payable from the date of his P.D.A counter-signing his medical option certificate and that as such he was entitled to medical allowance with effect from 11.05.2004. Petitioner had raised a claim that he is entitled to get that benefit from 1967 onwards. We

are of the view, this cannot be granted at this distance of time. All possible benefits legally due to the petitioner have been granted by the authorities and the learned judge has rightly found so. In such circumstances, this writ appeal lacks merits and the same would stand dismissed.

Sd/-
K.S. RADHAKRISHNAN
Judge

Sd/-
A.K.BASHEER
Judge

18/09/2007
en

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